

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a twelve (12) month term and supply contract for the furnishing of asphaltic concrete for use by the Road and Bridge Division of the Public Works Department to Vance Brothers, Inc., of Kansas City (Jackson County), MO, as a sole source purchase.

RESOLUTION #17551, March 21, 2011

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, the County desires to purchase asphaltic concrete, a hot mixture of rock and oil also known as hot mix, for use in patching roads by the Road and Bridge Division of the Public Works Department; and,

WHEREAS, the Director of Finance and Purchasing, via Bid No 4-11, recently solicited bids for the commodity, but received no bids; and,

WHEREAS, because of the petroleum component of hot mix, the price fluctuates based on current market rates, making a quote for a one-year pricing unfeasible; and,

WHEREAS, the Director of Finance and Purchasing recommends the award of a twelve-month term and supply contract for the furnishing of asphaltic concrete at market rates, to Vance Brothers, Inc. of Kansas City (Jackson County), MO, a current County vender, as a sole source provider, because Vance Brothers is the only vendor in the area that has bid on the contract over the last five years and is, to the best of the

Director's knowledge, the only provider of the product in the local area; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, MO, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be, and is hereby, authorized to execute for the County any documents necessary to the accomplishment of the award; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to make all payments, including final payments on the contract, to the extent that sufficient appropriations to the using spending agency are contained in the then current Jackson County budget.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Jay D. Hader
Chief Deputy County Counselor

W. Stephen Nix
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17551 of March 21, 2011, was duly passed on March 21, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

3/21/11
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriation.

March 11, 2011
Date

W. Stephen Nix
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

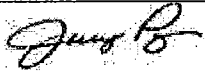
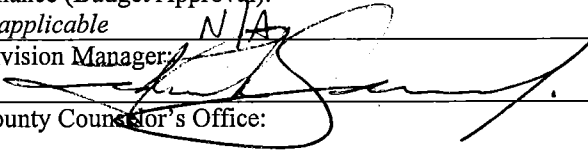
Completed by County Counselor's Office:

Res/Ord No.: 17551

Sponsor(s): Bob Spence

Date: March 21, 2011

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Awarding a Twelve (12) Month Term & Supply Contract for the furnishing of ASPHALTIC CONCRETE, also known as Hot Mix, for the Road and Bridge Division of the Public Works Department to Vance Brothers Inc. (Jackson County) of Kansas City, Missouri, as a sole source purchase.</u></p>										
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION: <input type="checkbox"/> No budget impact (no fiscal note required) <input checked="" type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:</p> <p>Department: Road & Bridge Estimated Use: \$120,000.00</p> <p>Prior Year Budget (if applicable): \$120,000.00</p> <p>Prior Year Actual Amount Spent (if applicable): \$99,600.00</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
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Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): N/A Prior resolutions and (date): N/A</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Teddy Ballard, Senior Buyer, 881-3465</p>										
<p>REQUEST SUMMARY</p>	<p>Vance Brothers was the only bidder on a multi-agency bid Purchasing issued in 2010, however, Vance Brothers limited the pricing to Jackson County only. Purchasing recently issued Invitation to Bid No. 4-11 which included this product; Vance Brothers "No Bid" this commodity due to instability of petroleum crude pricing and the requirement to quote a price for a year in the bid. As such, the Department is requesting a sole source for this hot mixture of rock and oil used in patching the roads, which will be priced based on the current market rate when placing the order. The alternative approach to pricing is necessary due to the instability in the oil market impacting the vendor.</p> <p>Pursuant to Section 1030.1 of the Jackson County Code, 1984, the Director of Finance and Purchasing recommends the award of a Twelve (12) Month Term & Supply Contract for the furnishing of ASPHALTIC CONCRETE for the Road & Bridge Division of the Public Works Department to Vance Brothers Inc. (Jackson County) of Kansas City, Missouri, as a sole source purchase.</p> <p>This award is made on an "as needed" basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases is subject to annual appropriations.</p>										

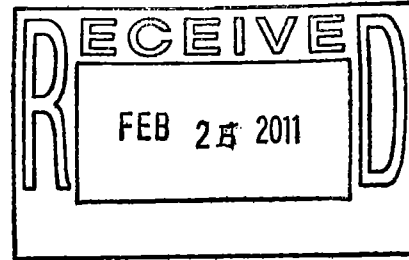
CLEARANCE	<input checked="" type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Sole Source Memorandum from Ms. Kaye Merkle of the Road & Bridge Division of the Public Works Department	
REVIEW	Department Director:  	Date: 03/11/2011
	Finance (Budget Approval): <i>If applicable</i> N/A	Date:
	Division Manager:  	Date: 3/16/11
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in ____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



Jackson County
Public Works Department

ROAD MAINTENANCE 34900 E. Old US 40 Hwy, P.O. Box 160
Grain Valley, Missouri 64029
(816) 847-7050 phone
(816) 847-7051 fax

MEMORANDUM

TO: Jerry Page, Director of Public Works
FROM: Kaye Merkle, Resource / Logistics Supervisor
DATE: February 22, 2011
RE: Asphaltic Concrete – Hot Mix – Sole Source 2011

I am asking for your approval and Ms. Kneauvean's approval for the Sole Source purchase of the commodity Asphaltic Concrete – Hot Mix for 2011.

Asphaltic concrete, also known as hot mix, is a hot mixture of rock and oil used to patch pot holes and to patch larger areas that deteriorate and need more extensive patching. Our division uses this commodity from early spring to early winter, weather permitting.

For the past 10 years, Vance has been our contract vendor and for several years, the only bidder of this commodity. We have struggled for the last 4 years with receiving a bid due to the continued instability in petroleum crude pricing. Purchasing spent countless hours in 2010 researching other companies from St. Joe to Columbia and Wichita. They all purchase from Vance Brothers. Purchasing also tried to initiate a multi agency bid from the KC Metro for these products. Vance refused to bid on any of the products listed. Purchasing has bid the product again this year and Vance's response was a "no bid" based on the instability of petroleum crude pricing and their inability to quote for more than 30 days.

This product is not sold through any other local vendor and is a necessity to purchase locally for pickup purposes. We collectively feel the commodity can only be purchased from Vance Brothers and therefore will qualify as a sole source.

We request to spend \$120,000 to purchase the product Asphaltic Concrete – Hot Mix from Vance Brothers. If you have any questions, give me a call at 847-7071.

Jerry Page, Public Works Director

2/25/2011
Date

Shelley Kneauvean, Deputy Chief Administrative Officer

3/9/11
Date

Teddy Ballard

From: Thomas J. Wyrsh
Sent: Thursday, March 10, 2011 11:10 AM
To: Teddy Ballard
Subject: RE: compliance status request - Vance Brothers, sole source

In compliance. Renewal date 12/31/2011. Thanks.

From: Teddy Ballard
Sent: Thursday, March 10, 2011 9:15 AM
To: Thomas J. Wyrsh
Subject: compliance status request - Vance Brothers, sole source

Tom,

Please send compliance status for the following vendor:

Vance Brothers Inc.
5201 Brighton
Kansas City, MO 64130

Thank you.

Teddy
Ext 13465

Teddy Ballard

From: David L. Davis
Sent: Wednesday, February 23, 2011 11:05 AM
To: Teddy Ballard
Subject: RE: tax status request

Paid, Personal Property of \$141,459.82; additionally there are 43 Parcels of Real Estate in the name Vance Brothers, all of which are paid in full.

David Davis
Delinquent Tax Unit
Jackson County Collection Department
816-881-3186

From: Teddy Ballard
Sent: Wednesday, February 23, 2011 10:21 AM
To: David L. Davis
Subject: tax status request

David,

Please send tax status for the following vendor:

Vance Brothers Inc.
5201 Brighton
Kansas City, MO 64130

Thank you.

Teddy
Ext 13465